

LEHMAN & EILEN LLP
Scott D. Stechman (SS-1803)
50 Charles Lindbergh Blvd.
Suite 505
Uniondale, NY 11553
(516) 222-0888

Attorneys for Defendant
AMX International, Inc.

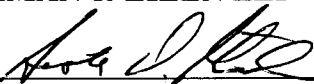
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
CA, INC.,	:
	:
Plaintiff,	: Civil Action No.
	: 07 CV 9799 (LTS)(KNF)
- against -	:
	: NOTICE OF MOTION
AMX INTERNATIONAL, INC.,	: FOR <i>PRO HAC VICE</i>
	: <u>ADMISSION</u>
	:
Defendant.	:
-----X	

PLEASE TAKE NOTICE, that pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, and on the basis of the annexed affidavit of Scott D. Stechman, sworn to the 23rd day of July, 2008, the annexed affidavit of Michael D. Gaffney, sworn to the 15th day of July, 2008, together with the exhibits annexed thereto, defendant AMX International, Inc. will move the Court, before the Honorable Laura Taylor Swain, U.S.D.J., at the United States District Court, Southern District of New York, 500 Pearl Street, Courtroom 17C, New York, New York 10007, on the 13th day of August, 2008, at 9:30 a.m., or as soon thereafter as the Court may determine, for an order admitting Michael D. Gaffney, *pro hac vice*, as counsel for defendant AMX International, Inc. for purposes of the above-captioned action.

Dated: New York, New York
July 23, 2008

LEHMAN & EILEN LLP

By: 
Scott D. Stechman (SS-1803)
50 Charles Lindbergh Blvd. - Suite 505
Uniondale, New York 11553
(516) 222-0888
Attorneys for Defendant
AMX International, Inc.

TO: John P. McEntee, Esq.
FARRELL FRITZ, P.C.
1320 RexCorp Plaza
West Tower – 14th Floor
Uniondale, New York 11556-0120
(516) 227-0700

*Attorneys for Plaintiff
CA, Inc.*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
CA, INC.,

Plaintiff,

- against -

AMX INTERNATIONAL, INC.,

Defendant.
-----X

:
: **Civil Action No.**
: **07 CV 09799 (LTS)(KNF)**
:
: **AFFIDAVIT OF**
: **SCOTT D. STECHMAN**
: **IN SUPPORT OF MOTION**
: **FOR ADMISSION**
: **PRO HAC VICE**

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

SCOTT D. STECHMAN, being duly sworn, deposes and says:

1. I am a member of the Bar of this court and am counsel to the law firm of Lehman & Eilen LLP, attorneys for defendant AMX International, Inc. ("AMX"). I submit this affidavit in support of defendant AMX's motion, pursuant to Local Rule 1.3(c) of the Local Civil Rules of this Court, to permit Michael D. Gaffney to appear, *pro hac vice*, as counsel for defendant AMX for purposes of the above-captioned action.

2. Mr. Gaffney is a member of the law firm of Beard St. Clair Gaffney P.A. ("Beard St. Clair"). Mr. Gaffney is resident in Beard St. Clair's Idaho Falls, Idaho office, located at 2105 Coronado Street, Idaho Falls, Idaho 83404, (208) 523-5171, facsimile (208) 529-9732.

3. As stated in the accompanying affidavit of Michael D. Gaffney (the "Gaffney Affidavit"), and reflected by the certificates of good standing annexed to the Gaffney Affidavit, Mr. Gaffney is admitted to the Bars of the States of Idaho, Wyoming and Colorado.

4. As further stated in the Gaffney Affidavit, Mr. Gaffney is also admitted to following bars: the United States Court of Appeals for the Ninth Circuit; the United States Court

of Appeals for the Tenth Circuit; the United States District Court for the District of Idaho; the United States District Court for the District of Wyoming; the United States District Court of Colorado; and the United States District Court for the District of Oregon.

5. As further stated in the Gaffney Affidavit, Mr. Gaffney and his law firm have represented AMX in numerous matters over the last several years.

6. I have been advised by Jay Price, President of AMX, that AMX desires that Mr. Gaffney continue to represent the corporation in this action.

7. I have communicated with John McEntee, counsel for plaintiff CA, Inc., with respect to the within motion. Mr. McEntee initially advised that he consented to Mr. Gaffney's appearance in this action as counsel for AMX, *pro hac vice*. Subsequently, in a recent telephone conversation with Mr. McEntee, he advised that he was withdrawing his consent and that the within motion should be made on notice.

8. Based on the foregoing, it is respectfully requested that Mr. Gaffney be permitted to appear in this action as counsel for AMX, *pro hac vice*. The undersigned will remain local counsel for AMX.


SCOTT D. STECHMAN

Sworn to before me this
23rd day of July, 2008


Notary Public

Christy K. Grzan
Notary Public, State of New York
No. 01GR5074275
Qualified in Nassau County
Commission Expires June 4, 2011

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CA, INC.,

Plaintiff,

- against -

AMX INTERNATIONAL, INC.,

Defendant.
-----X

:
:
: Civil Action No.
: 07 CV 09799 (LTS)(KNF)
:
: AFFIDAVIT OF
: MICHAEL D. GAFFNEY
: IN SUPPORT OF MOTION
: FOR ADMISSION
: PRO HAC VICE
:

STATE OF IDAHO)
) ss.:
COUNTY OF BONNEVILLE)

MICHAEL D. GAFFNEY, being duly sworn, deposes and says:

1. I am a member of the law firm of Beard St. Clair Gaffney PA. I submit this affidavit in support of the within application to be admitted to practice before this Court and represent defendant AMX International, Inc. ("AMX") for purposes of the above-referenced action, *pro hac vice*.

2. I am a member in good standing of the Bar of the State of Idaho, having been admitted to practice before that bar in 1986. A certificate of good standing from the Supreme Court of the State of Idaho is annexed hereto as Exhibit "A."

3. I am also a member in good standing of the Bar of the State of Wyoming. I was admitted to that bar in 1989. A certificate of good standing from the Supreme Court of the State of Wyoming is annexed hereto as Exhibit "B."

4. In addition, I am a member in good standing of the Bar of the State of Oregon. I was admitted to that bar in 2004. A certificate of good standing from the Supreme Court of the State of Oregon is annexed hereto as Exhibit "C."

5. I am also admitted to the following bars: the United States District Court for the District of Idaho (admitted in 1986); the United States Court of Appeals for the Ninth Circuit (admitted in 1988); the United States District Court for the District of Wyoming (admitted in 1989); the United States Court of Appeals for the Tenth Circuit (admitted in 1995); the United States District Court for the District of Colorado (admitted in 1999); and the United States District Court for the District of Oregon (admitted in 2004).

6. I am not presently nor have I ever been suspended, disbarred, or other wise disciplined in any of the courts or jurisdictions where I have been admitted to practice.

7. My law firm and I have represented AMX in connection with various legal matters since 1995. AMX has advised me that it desires that I continue to represent the corporation as counsel in this action.

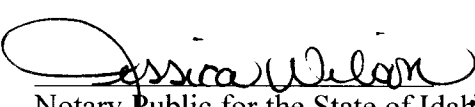
8. I have obtained a copy of the local rules of the Southern District of New York and am familiar with those rules.

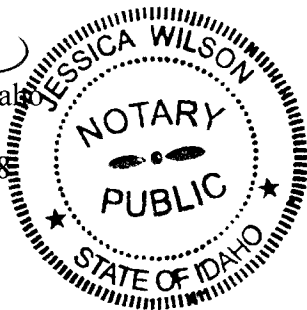
9. I hereby consent to be subject to the jurisdiction and rules of the state of New York governing professional conduct.

DATED: July 15, 2008


MICHAEL D. GAFFNEY

Subscribed and sworn to before me
this 15th day of July, 2008


Notary Public for the State of Idaho
Residing at: Idaho Falls, ID
My commission expires: 9-11-08
(SEAL)





Clerk's Office)
) ss.
Supreme Court)
Certificate of Admission

I, Stephen W. Kenyon, Clerk of the Supreme Court of the State of Idaho, do hereby certify that
MICHAEL DEAN GAFFNEY, on the 26th day of September, 1986, was admitted to practice by said Court
as an attorney and counselor at law in all the courts of this state, and that he ever since and now is an
attorney in good standing at the Bar of this Court.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Court at Boise,
Idaho, this 9th day of July, 2008.

Stephen Kenyon
Clerk

**CERTIFICATE OF THE CLERK OF THE SUPREME COURT
OF THE
STATE OF WYOMING**

I, Judy Pacheco, Clerk of the Supreme Court of the State of Wyoming, hereby certify that, according to the records of my office:

M I C H A E L G A F F N E Y

was on the 18th day of September, 1989, duly admitted to practice as an Attorney and Counsellor at Law in all the courts of Wyoming; that the above admittee has never been disbarred or suspended; that no disciplinary proceedings are pending against this admittee; and that this admittee's name now appears on the Roll of Attorneys in this office as a member of the bar in good standing.

Given under my hand and the seal of
said Court this 9th day of July,
2008.

A handwritten signature in cursive script, reading "Judy Pacheco", is written over a horizontal line.

Clerk

Oregon State Bar

CERTIFICATE

State of Oregon)
) ss.
County of Washington)

I, Linn D. Davis, do hereby certify that I am an Assistant Disciplinary Counsel of the Oregon State Bar, and have access to the official files and records of the Oregon State Bar.

The official files and records of the Oregon State Bar indicate:

MICHAEL D. GAFFNEY

was admitted to practice law in the State of Oregon by reciprocity and became an active member of the Oregon State Bar on May 17, 2004.

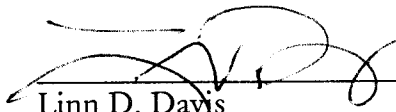
There are no complaints, grievances or disciplinary proceedings presently pending against this member.

No disciplinary action has been taken against this member in the past by the Oregon Supreme Court or the Oregon Disciplinary Board.

Mr. Gaffney is an active member of the Oregon State Bar in good standing, licensed and entitled to practice law in all the courts of the State of Oregon.

DATED this 9th day of July, 2008.




Linn D. Davis
Assistant Disciplinary Counsel
Oregon State Bar

AFFIDAVIT OF SERVICE BY MAIL

Karen Vitberg, being duly sworn, deposes and says:

I am over the age of eighteen years, not a party to this action and reside in West Babylon, New York. On the 23rd day of July, 2008, I served a copy of Notice of Motion For *Pro Hac Vice* Admission with Supporting Affidavits upon the following firm:

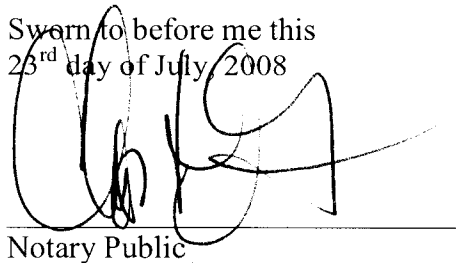
FARRELL FRITZ, P.C.
Attn: John P. McEntee, Esq.
RexCorp Plaza
West Tower – 14th Floor
Uniondale, New York 11556-0120
(516) 227-0700

*Attorneys for Plaintiff
CA, Inc.*

by depositing a true copy thereof securely enclosed in a post-paid wrapper in a Post Office box regularly maintained by the United States Government.


KAREN VITBERG

Sworn to before me this
23rd day of July, 2008


Notary Public

**Christy K. Grzan
Notary Public, State of New York
No. 01GR5074875
Qualified in Nassau County
Commission Expires June 4, 2011**